

April 02, 2024

LAURA A. AUSTIN, CLERK

BY:

/s/T. Taylor
DEPUTY CLERKIN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISIONDONNELLE MARCUS BROWN,
Plaintiff,

)

Civil Action No. 7:23cv00314

)

)

v.

)

ORDER

)

BLUE RIDGE REGIONAL JAIL, et al.,
Defendants.

)

By: Robert S. Ballou

)

United States District Judge

Plaintiff, proceeding *pro se*, filed a civil rights complaint, pursuant to 42 U.S.C. § 1983. By orders entered on May 30, 2023, and June 23, 2023, the court directed the plaintiff to notify the court in writing immediately upon plaintiff's transfer or release and provide a new address. Plaintiff was advised that a failure to comply would result in dismissal of this action without prejudice.

On November 6, 2023, mail from the court to the plaintiff was returned as undeliverable, and no forwarding address was provided. On further inquiry, the court found that plaintiff was no longer in custody at the Blue Ridge Regional Jail, nor was he listed as an inmate in the Virginia Department of Corrections. To date, plaintiff has not advised the court of a new address. Accordingly, the court hereby **DISMISSES** the complaint without prejudice.¹ Plaintiff may refile the claim in a new action once he is prepared to comply with the court's conditions.

The Clerk is directed to send a copy of this Order to the plaintiff and counsel of record.

Enter: April 2, 2024

*/s/ Robert S. Ballou*Robert S. Ballou
United States District Judge

¹ In light of this order, the Motion to Dismiss (ECF No. 14) and Motion for Summary Judgment (ECF No. 20) are **DISMISSED as moot**.